

REMARKS

Claim 1 (which now includes the subject matter of Claims 2 and 6), 12, 16, 20 and 24 should now stand allowed, along with Claims 3-5, 10, 11, 14, 15, 18, 19, 22 and 23.

Although Applicants do not disagree with the Examiner's characterization of allowable subject matter or his statement of reasons on page 4 of the Office Action, they cannot agree that the allowable subject matter is circumscribed by that characterization. For this reason, they traverse the rejection of Claims 1-5, 7-11, 13-15, 17-19 and 21-23 as being anticipated by Mizuki under 35 U.S.C. § 102 (b).

In order to reduce the issues, Applicants submit as new Claim 33, a claim similar to Claim 1 of the corresponding European Application EP 1 4063 454 B1 against which no opposition has been lodged. For reasons previously articulated by Applicants in their written responses and incorporated herein by reference, and by their representative in an interview with the Examiner, the Mizuki handle and latch assemblies, as is true with other prior art as well, neither teach nor suggest a locking device that is capable of limiting outer panel bulging outwardly of the vehicle during defined transverse or lateral accelerations that act upon the vehicle. The fact that the Mizuki patent says nothing about this is strong evidence that its latch assembly structure does not so function in response to transverse acceleration.

Among other things, the Office Action refers to part 62 in the Mizuki patent as an inside panel. At the very least, it is not an inside door panel but, as described by Mizuki, a decorative cover case (col. 3, lines 18-25). That case merely surrounds the connecting portion between, on one hand, the handle lever 5 and the latch unit 15; and, on the other hand, between the key cylinder 36, and the latch unit 15. In no way can it be reasonably construed

as an inside door panel. Nor is there any teaching that the outer panel 1 is fastened to the inner panel in any manner.

The Office Action refers to a catching device 17. All that Mizuki says about part 17 is that it is a screw or bolt for fixing the base bracket 14 and the handle base 4 together across the outer panel 1. There is no way that this screw or bolt is intended to or can prevent bulging during high lateral accelerations.

Applicants further note that the Mizuki patent specifically indicates that the inner panel and dressing panel of the door have been omitted (col. 2, lines 15-17). Yet, the Office Action insists that the decorative case 62 is that panel.

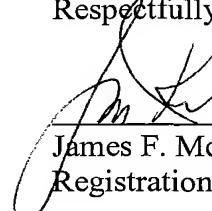
Accordingly, early and favorable action upon new Claims 32-42 is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #028987.52501US).

Respectfully submitted,

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